

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rule making related to five-year review of rules and providing an opportunity for public comment

The Human Services Department hereby proposes to rescind Chapter 161, “Iowa Senior Living Trust Fund,” Chapter 162, “Nursing Facility Conversion and Long-Term Care Services Development Grants,” and Chapter 164, “Iowa Hospital Trust Fund,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 249A.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 249A.4.

Purpose and Summary

This proposed rule making is part of the Department’s five-year rules review process. Chapters 161 and 162 are rescinded and reserved because the programs no longer exist and Iowa Code chapter 249H, which authorized the programs, was repealed in 2013. Chapter 164 is rescinded and reserved because the program no longer exists and Iowa Code chapter 249I, which authorized the trust fund, was repealed in 2005. This rule making brings the Iowa Administrative Code into compliance with the Iowa Code.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on April 26, 2022. Comments should be directed to:

Nancy Freudenberg
Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: appeals@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

- ITEM 1. Rescind and reserve **441—Chapter 161**.
- ITEM 2. Rescind and reserve **441—Chapter 162**.
- ITEM 3. Rescind and reserve **441—Chapter 164**.